

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

KENDRICK L. DORTCH, et al.,

Plaintiffs,

vs.

THE CITY OF MONTGOMERY, et al.,

Defendants.

2008 SEP -3 A 10:45  
DEBRA P. HACKETT, CLK

U.S. DISTRICT COURT

MIDDLE DISTRICT

CASE NO. 2:07cv1034-MEF

MOTION FOR EXTENSION/ENLARGMENT OF TIME TO FILE RESPONSE TO  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Come now the Plaintiffs in the above-styled cause and request an extension to respond to Defendant Cremeens' motion for summary judgment in the above-referenced causes. As grounds therefore, the following is submitted:

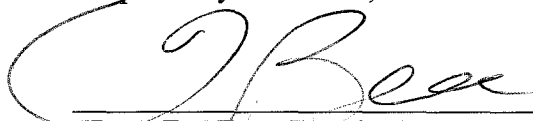
1. The Plaintiffs were due to submit a response to the Defendant's motion for summary judgment by August 28, 2008.
2. Plaintiff's attorney became ill with the Flu (and all of the assorted ailments which accompany such illness) on August 26, 2008. He was unable to return to his office until September, 2, 2008. During the time of the Plaintiffs' attorney's illness. Because of illness of the Plaintiffs' attorney, they could not timely respond. However, they Plaintiff should be able to file their response by the end of the day, September 3, 2008.
3. The Plaintiffs have meritorious objections to the Defendant's motions, and the request for an extension/enlargement is not submitted for the purposes of extending or delaying the causes.
4. A short extension/enlargement will not prejudice the Defendant.

5. The Plaintiffs' counsel apologizes to the Court for any inconvenience he has caused the Court.

6. The Plaintiffs have notified Defendant Cremeens' counsel of this motion.

WHEREFORE THESE PREMISES CONSIDERED, the Plaintiffs respectfully request that this short extension/enlargement to file their response to Defendant Cremeens' motion for summary judgment be granted.

Respectfully submitted,

  
FRED F. BELL (BEL014)  
Counsel for the Plaintiffs

**CERTIFICATE OF SERVICE**

I certify that I have this 3<sup>rd</sup> day of September 2008, filed a copy of this Motion with the Clerk of Court, who will perfect service upon the parties using the CM/ECF SYSTEM and by placing it in the United States Mail, postage prepaid, or by hand delivery, addressed as follows to the following parties:

Hon. Wesley Romine  
Morrow, Romine & Pearson, P.C.  
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Montgomery, AL 36103-4804

Hon. Kimberly O. Fehl  
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